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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/315,621	05/20/1999	AJAY RAJKUMAR	5	6743

7590

06/05/2002

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EXAMINER

SINGH, RACHNA

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 06/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/315,621

Applicant(s)

RAJKUMAR, AJAY

Examiner

Rachna Singh

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: application, filed 05/20/99;
2. Claims 1-12 are pending in the case. Claims 1 and 8 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 6, 8, 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dockes et al., US Patent 5,974,004, 10/26/99 (filed 12/21/98, continuation filed 11/7/96) and further in view of Reed et al., US Patent 5,241,671, 8/31/93.

In reference to claim 1, Dockes discloses acquiring audio data and linking it with other identification data in a relational database. (compare to “**obtaining the audio file related to that record; linking the audio file to the record**”) See column 3, lines 14-19 and column 5, lines 1-6. Dockes further discloses a writing means (compare to “**storing the audio file on a recording media**”). Dockes does not explicitly disclose a means of accessing the record in the database; however, Reed discloses accessing a multimedia database consisting of text, picture, and audio data that can be searched. Upon searching an article or record, the user has an option of selecting an audio option. (compare to “**accessing a record in a database;**”) See figure 7 and column 13, lines 15-21. It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine Dockes' invention of acquiring, linking, and storing the audio file in Reed's system of accessing a record in a database since accessing a database for information was well known in the art at the time the invention was made. Moreover, once the method for obtaining, linking, and storing a file has occurred, providing the user with the ability to access the database would have been obvious to one of ordinary skill in the art.

In reference to claim 2, Dockes provides a link between the audio file and the record. A link is a pointer to another record. See column 5, lines 1-6.

In reference to claim 6, Dockes discloses storing the audio file on a blank CD-R. See column 2, lines 53-60.

In reference to claim 8, Dockes discloses a method in which a field in the record is linked to an audio file and a writing means is provided for storing the audio on a recording media (compare to **"accessing a field in the record . . .the pointer identifies a location where the audio file is stored on the recording media"**). See column 3, lines 14-19 and column 5, lines 1-6. Dockes further discloses a link between the physical disc (recording media) and the indexing data (in the database) which allows the user **"access the location on the recording media identified by the pointer."** See column 8, lines 28-50. Dockes does not explicitly disclose a means of accessing the record in the database; however, Reed discloses accessing a multimedia database consisting of text, picture, and audio data that can be searched. Upon searching an article or record, the user has an option of selecting an audio option. (compare to **"accessing a record in a database;"**) See figure 7 and column 13, lines 15-21. It

would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Dockes' invention of acquiring, linking, and storing the audio file in Reed's system of accessing a record in a database since accessing a database for information was well known in the art at the time the invention was made. Moreover, once the method for obtaining, linking, and storing a file has occurred, providing the user with the ability to access the database would have been obvious to one of ordinary skill in the art.

In reference to claim 9, Dockes teaches a means of linking the audio data in digital format. See column 2, lines 42-60 and column 5, lines 1-6.

In reference to claim 11, Dockes discloses storing the audio file on a blank CD-R. See column 2, lines 53-60.

5. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dockes et al., US Patent 5,974,004, 10/26/99 (filed 12/21/98, continuation filed 11/7/96) and further in view of Reed et al., US Patent 5,241,671, 8/31/93, as applied to claim 1 above, and further in view of DeMartin et al., US Patent 6,226,672, 5/1/01 (filed 5/2/97).

In reference to claim 3, Dockes teaches a means of linking the audio data in digital format. Once digitized, the audio file is stored on a recording media (such as CD) and is linked to a record in the database using a pointer. See column 2, lines 42-60 and column 5, lines 1-6. Dockes does not disclose storing the audio file in an analog format on an analog recording media; however, DeMartin teaches a database storing information for songs recorded on various data storage media (analog or digital). See column 3, lines 45-59. It would have been obvious to one of ordinary skill in the art at

the time the invention was made to incorporate storing an audio file in analog format on an analog recording media as disclosed by DeMartin within Dockes' system of linking an audio file in digitized form since audio files are compressed in digitized form.

In reference to claim 4, Dockes teaches a means of linking the audio data in digital format. Once digitized, the audio file is stored on a recording media (such as CD) and is linked to a record in the database using a pointer. See column 2, lines 42-60 and column 5, lines 1-6. Dockes does not disclose storing the digitized audio file within the field of a record; however, Reed teaches a record in a database consisting of both textual, graphical information and the associated audio information. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a digitized version of the audio file within the record since it was common at the time to include audio information within a record in a database. Dockes does not disclose storing the audio file in an analog format on an analog recording media; however, DeMartin teaches a database storing information for songs recorded on various data storage media (analog or digital). See column 3, lines 45-59. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate storing an audio file in analog format on an analog recording media as disclosed by DeMartin within Dockes' system of linking an audio file in digitized form since audio files are compressed in digitized form.

6. Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dockes et al., US Patent 5,974,004, 10/26/99 (filed 12/21/98, continuation filed 11/7/96) and further in view of Reed et al., US Patent 5,241,671, 8/31/93, as applied to claim 1

and 8 above, and further in view of Kelly et al., US Patent 6,047,292, 4/4/00 (filed 9/12/96).

In reference to claims 5 and 10, Kelly teaches that it was common in the art to store data on a cassette tape; however, with the storage capacity that a CD provides, the recording media is being shifted to that of CD-R. See column 1. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a tape as a recording media file since it was well known at the time to store audio data on a tape.

7. Claims 7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dockes et al., US Patent 5,974,004, 10/26/99 (filed 12/21/98, continuation filed 11/7/96) and further in view of Reed et al., US Patent 5,241,671, 8/31/93, as applied to claims 1 and 8 above, and further in view of Akagiri, US Patent 5,491,481, 2/13/96.

In reference to claims 7 and 12, Dockes does not disclose storing the audio file on semiconductor memory; however, Akagiri teaches that semiconductor memories are used as recording media. See column 1, lines 61-67. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Akagiri's disclosure of a semiconductor memory recording device in the system disclosed jointly by Dockes and Reed since semiconductor memory allows for additional compression which would be useful in recording audio.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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US Patent 6,222,838 Sparks et al.

US Patent 5,584,006 Reber et al.

US Patent 6,212,527 Gustman

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh at 703.305.1952. The examiner can normally be reached on Monday-Friday from 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at 703.308.5186.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 703.305.3900.

Any response to this action should be mailed to:


Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

After-Final	703.746.7238
Official	703.746.7239
Non-Official/Draft	703.746.7240

Hand-Delivered responses should be brought to Crystal park II, 2121 Crystal Drive, Arlington VA., Sixth Floor (Receptionist).

Rachna Singh
May 24, 2002


STEPHEN S. HONG
PRIMARY EXAMINER